

## **PENNSYLVANIA TESTIMONY**

**By Dr. Jay Shankman**

**Good day representatives of the Pennsylvania Legislature, Representative Thomas Murt sponsor of HB No. 2515 legislation to address deficiencies in Pennsylvania's child labor law as it relates to television and film productions in the Commonwealth, Paul Petersen, Founder and President of A Minor Consideration Organization and the many volunteers, supporters and dedicated members of AMC.**

**First, I like to thank Representative Thomas Murt to allow me to testify before this important body of the Commonwealth's law makers.**

**My name is Dr. Jay Shankman, Certified Forensic Safety and Health Engineer (American College of Forensic Examiners), Certified Safety and Health Manager(Professional Level), Certified Healthcare Safety Professional, Certified Hazard Control Professional and Registered Professional Industrial Hygienist.**

**Definition of Forensic Safety Engineer; *FORENSIC SAFETY ENGINEERING*) The testing and evaluating of equipment, buildings, property, procedures to secure evidence and technically correct failures whether mechanical or human error. A life-critical system or safety-critical system is a system whose failure or malfunction may result in:**

**damage to equipment or**

**environmental harm. death or serious injury to**

**people, both physical and physiological\_ or**

**loss or severe damage to property.**

**I have spent 18 years in Healthcare field as a Safety and Health Administrator in three Hospitals upon retiring from the field during 1989 I started my own forensic practice as a Forensic Safety Engineer specializing in OSHA, New York State, Nevada, California, Arizona and New Mexico Labor Laws.**

**I have testified as a Forensic Safety Engineer seventy one times between NY Supreme Courts, Nevada District Courts, California Superior Court, New Mexico District Courts , Arizona District Courts and New Jersey Superior Courts. At least 35 of these cases involved parents and *loco parentis* cases (Safety and Health Supervision) putting Children in harms way.**

During this period I was appointed Representative (NGO) to the United Nations Economic and Social Council as a Forensic Safety Engineer dealing with International Labor Issues.

This brings me to my passion, protecting innocent children from being exploited and abused by parents, employers, agents, supervisors and in many cases producers of television shows. I have affiliated with A Minor Consideration since the mid 1990's which brings me to today's major concerns;

**Reality Television Shows.** Realty TV has popped up in the last seven seasons. Major controversy against these shows has come from safety and health advocacy groups and the general public, as well. Television producers of Fox (American Idol in NY) were fined by the Labor Department for permitting under age children to work on the set without proper work permits where many construction dangers existed. Evidently there was no safety training given to these prop hands during the summer concert series.

The next group of producers is from the Learning Channel and Discovery Channel headed by President Eileen O'Neill. O'Neill has been credited with inception of the controversial reality show Kate Plus 8, Originally John and Kate Plus 8. President Eileen O'Neill, her management staff and producers has managed to exploit all eight children to the television screen with long hours of filming, no teacher educator or social worker to protect their safety and health during filming. There is no proof or indication a *Child Trust Funds* were set up and monitored by the Commonwealth's Attorney General to assure the child would receive his or her compensation upon reaching legal age. Instead the only thing that makes sense is that Kate Gosselin was issued a 1099 for the series.

This past summer 2010 I viewed two online videos, one was Kate Gosselin taking the 8 children on a fishing trip in the Atlantic Ocean. She and the ship's Captain put each and every one of the 8 children in harms way. None of the children had an approved Coast Guard life vest on at anytime during the video, being miles out at sea without proper safety equipment. The 8 kids were unsupervised on the ship's deck except by the Captain. The second video was on the homestead, when Kate Gosselin sent the 8 children berry picking. As the children were picking berries they were eating a few here and there, there was no indication of any parental supervision. If one of the kids picked up a poison berry and ate one or two there would have been imminent danger to the child or children. The Commonwealth has no enforceable safety rules and regulations for Reality TV children.

**This brings us to the next CBS Reality Series with two children from Pennsylvania. Kid Nation was an American reality television show hosted by Jonathan Karsh that premiered on the CBS network on September 19, 2007 created by Tom Forman Productions and Endemol USA and aired on Wednesdays at 8:00 p.m. ET . The show, featuring 40 children aged 8 to 15, was filmed on location at the Bonanza Creek Movie Ranch, a privately owned town built on the ruins of Bonanza City, New Mexico, eight miles south of Santa Fe, with production beginning on April 1, 2007. In the show, the children try to create a functioning society in the town, including setting up a government system with minimal adult help and supervision.<sup>1</sup> The program was originally scheduled to air in the summer of 2007.**

**The show stresses the difficulty in creating a viable society. While each child received \$5,000 for their involvement, Gold Stars valued at \$20,000 and \$50,000 was awarded to select outstanding participants as decided by the elected Town Council.**

**The child participants were exploited and abused by both parents, Host Jonathan Karsh and the shows producers. Videos of the series depict disgusting segments of traumatized little children watching another participant teenager cutting off the chicken's head and the chicken running on the ground bleeding and headless, that wasn't enough the teenager put the chicken into a large pot of boiling water requiring the children to pluck the feathers so they could cook it for dinner (supper). Another video depicts the disgusting and filthy living conditions in which the children slept. The quarters depicted some cots and may sleeping bags on dirty floors.**

**Kelsey, 11, from Furlong, Pennsylvania, and Pharoah, 12, from Philadelphia, Pennsylvania were participants in KID NATION on CBS. These two youngsters were also traumatized during their stay in the desert, resulting in child exploitation and abuse.**

**The participant application for Kid Nation provided to you, clearly indicates that parents signatures were required and the producers required each potential participant to initial questions requires to be answered, since when in this country is a minor required to sign a binding contract ? The statement of confidentiality between the minor, parent(s) and producers was highly unethical. The parent(s) guardian allowed and permitted the producers of Kid Nation to put their child in harms way without any concern for the child (minor's) health and safety. Not one parent reported visiting the set location before signing their child away for the summer.**

**REALITY SHOW FOR TONY DANZA on A&E- The Commonwealth of Pennsylvania becomes the Hub of Reality Shows. Why? No enforceable child Labor Laws.**

### **Tony Danza**

**The Brooklyn-born actor best known for his roles on sitcoms like "Taxi" and "Who's the Boss?" is moving to the head of the class at Philadelphia's Northeast High School to shoot A&E's new reality show "Teach."**

**In a 3-1 vote on Wednesday, the School Reform Commission approved the filming of the series this fall, in which the actor will co-teach a sophomore class alongside a certified teacher in one of the district's largest schools, according to The Philadelphia Inquirer.**

**Apt pupils are now being auditioned, according to district spokesman Fernando Gallard. These students will be selected from a Northeast program for students who want to break into the entertainment industry.**

**Cameras will not be visible to the students in the classroom once the school year and the show are underway, however.**

**Danza, 59, holds a bachelor's degree in history education from the University of Dubuque. Besides classroom instruction, he's also expected to lend a hand with extracurricular activities – such as a sports team, school plays and the prom.**

**The actor announced he is "humbled, honored and so grateful that the City of Philadelphia has decided to let us try this," he said in a statement. "I have always wanted to teach, so this is a gift for me. I will work hard to make sure I don't let anyone down, especially the kids."**

**The school district is accepting a \$3,500 per-episode fee from A&E, according to the Inquirer, which will also chip in for facilities and personnel expenses.**

**District officials also have the right to view a rough cut of each episode and object to any footage they deem inappropriate. They can also end the series at any time.**

**Danza has already rented an apartment in Philly and begun attending teacher orientation and catching up on his curriculum – which includes literary classics such as "Of Mice and Men" and "Animal Farm."**

**He began shooting a pilot in Yonkers recently, and admitted it was "the worst flop sweat I ever had" after the kids put the ex-boxer through his paces.**

**"I'm so scared. You have no idea," Danza said last week. "I can tap-dance, but I don't know if I can make kids learn yet."**

**My professional safety engineering opinion is two fold. First of all Danza is an accomplished actor with excellent talent to act in any capacity on what is known as a commercial movie set as was Gabe Kaplan in Welcome Back Kotter. The series was filmed at a commercial studio using New Utrecht High School in Brooklyn, NY for many scenes. All actors in the cited set were professional actors. Secondly Danza is not an English teacher nor is he licensed to teach either English or History although he holds a degree from Dubuque in History. Reality TV in Philadelphia's School Board hit an all time low allowing reality TV to be filmed at Northeast H.S.**

**Tony Danza was turned down for the reality series in a New York City private school as well by the City of Yonker's board of Education, The New York State Education Commissioner and Labor Commissioner are certainly doing their part enforcing child labor laws.**

**It is now time to protect children in the Commonwealth of Pennsylvania against predators, abuse and exploitation in reality TV productions and beauty pageants.**

**Protecting our kids should be a complete bipartisan effort to safeguard every child from physical or psychological harm.**

**Thank you,**

*Dr. Jay Shankman*